

# MISSOURI BOARD OF PHARMACY

**2007 ANNUAL REPORT**  
July 1, 2006 through June 30, 2007



**MATT BLUNT, GOVERNOR  
STATE OF MISSOURI**

**DOUGLAS M. OMMEN, DIRECTOR  
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND  
PROFESSIONAL REGISTRATION**

**DAVID T. BROEKER, DIRECTOR  
DIVISION OF PROFESSIONAL REGISTRATION**



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**DEPARTMENT OF INSURANCE, FINANCIAL  
INSTITUTIONS AND PROFESSIONAL  
REGISTRATION  
DIVISION OF PROFESSIONAL REGISTRATION  
BOARD OF PHARMACY MEMBERS AND STAFF**

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3605 MISSOURI BOULEVARD  
JEFFERSON CITY, MISSOURI  
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FAX (573) 526-3464  
Web Site <http://www.pr.mo.gov/pharmacists.asp>  
Email: [pharmacy@pr.mo.gov](mailto:pharmacy@pr.mo.gov)

**BOARD MEMBERS**

Douglas R. Lang, R. Ph., President  
Pamela L. Marshall, R.Ph., Vice President  
Gary F. Sobocinski, R. Ph. Member  
Elaina M. Wolzak, R. Ph., Member  
Melissa A. Graham, R. Ph., Member  
James D. Riddle, R.Ph., Member (appointed 4/26/07)  
Anita K. Parran, Public Member  
Barbara A. Bilek, R.Ph., Member  
(replaced Douglas Lang 6/7/07)

**BOARD INSPECTORS**

Thomas Glenski, R. Ph., Chief Inspector  
Michael Kidd, R. Ph., Inspector  
Robert "Bud" Alexander, R. Ph., Inspector  
Frank VanFleet, R.Ph., Inspector  
Barbara A. Wood, R. Ph., Inspector  
Sidney "Sid" Werges, R. Ph., Inspector  
John Heavin, R.Ph., Inspector (deceased 11/06)  
vacant Inspector position

**EXECUTIVE DIRECTOR**

Debra C. Ringgenberg, R.Ph.

**OFFICE STAFF**

Tammy Siebert  
Regina Divine  
Don Walker  
Laura Payton  
Lea Tuttle

Executive Assistant  
Pharmacist and Intern Coordinator  
Compliance Coordinator  
Pharmacy Technician Coordinator  
Pharmacy and Drug Distributor Coordinator



## ORGANIZATION AND DESCRIPTION OF THE BOARD OF PHARMACY

### MISSION

The Board's mission is to promote, preserve and protect the public health, safety and welfare by assuring the provision of quality pharmaceutical care to the citizens of Missouri, through the regulation of the practice of pharmacy.

### ORGANIZATION

The Missouri Board of Pharmacy is an agency within the Division of Professional Registration, Department of Insurance, Financial Institutions and Professional Registration. The Board was created by House Bill No. 87 of the General Assembly of 1909. The Board consists of seven (7) persons, one who is a public member and six (6) who are licensed pharmacists actively engaged in the practice of pharmacy. At least one of these members must be a person who provides, on a full-time basis, pharmaceutical services to a hospital, skilled nursing facility or an intermediate care facility. Board Members are appointed by the Governor and hold office for (5) years from the date of their appointment and until their successors have been appointed and qualified. Board Members appointed by the Governor are subject to approval of the Senate. Annually, the Board shall organize by the election of a president, and a vice president, each of whom serves for one year. The Board maintains a record of all of its proceedings through the maintenance of minutes for both its open and closed session meetings, pursuant to provisions in Chapter 610 and 620.

The Board appoints five members to an Advisory Committee for Drug Distributors. This committee advises and makes recommendations to the Board concerning any rule changes proposed involving the drug distributor licensing program. A list of the current members of the committee is available at the Board of Pharmacy office.

The Board is an active member of the National Association of Boards of Pharmacy, and a member of District 6 in NABP.

### AUTHORITY AND FUNCTION

Sections 338.035, 338.140, 338.280 and 338.350 RSMo 2000 provide the Board authority to adopt rules and regulations for the application and enforcement of Chapter 338, RSMo. The Board has superintending control over the practice of pharmacy in the State of Missouri and its primary duties consist of:

1. Examining and licensing of applicants;
2. Accrediting of pharmacy colleges;
3. Renewing biennially, the licenses of qualified pharmacists, pharmacies, drug distributors, and renewing annually, the licenses of intern pharmacists;
4. Registering and renewing pharmacy technicians annually.
5. Investigation of complaints involving any licensee or registrant received including public complaints, information from other state and/or federal agencies, or violations discovered during routine inspections of pharmacy and drug distributor operations;
6. Suspending, revoking, or placing on probation the license of any pharmacist, pharmacy, drug distributor, or intern pharmacist found to be in violation of Chapter 338, RSMo;
7. Placing on conditional registration and maintaining the Technician Employment Disqualification List for pharmacy technicians found to be in violation of Chapter 338, RSMo;
8. Inspection of pharmacies and drug distributors; and
9. Approval of preceptors and intern training pharmacies.

Several publications are available through the Board of Pharmacy, including the Annual Report and the Board of Pharmacy quarterly Newsletter.

DEBRA C. RINGGENBERG, R.PH  
EXECUTIVE DIRECTOR



## BOARD INITIATIVES

**At an annual retreat in March, the Board identified pharmacy issues and reviewed statutes and regulations. They also reviewed board office activities, statistics and identified areas which need improvement or change. Topics discussed included:**

### **Legislation:**

- A. Model Practice Act language & regulatory framework for the provision of Medication Therapy Management (MTM) services
- B. Where is the point of practice of pharmacy and how to design an appropriate regulatory framework
- C. Reciprocity process for licensure
- D. Litigation cost containment strategies, fining authority.
- E. Remote pharmacy services

### **Regulation:**

- F. Appropriate time frame to transfer a prescription to another providing pharmacy
- G. Separate regulation to delineate and define drug utilization review
- H. Review of the provision of pharmacy care and medication/prescription orders for residents in long term care facilities
- I. Pill splitting rules allow opt out for any pharmacists or patient.
- J. Financial management of Board fund
- K. Regulation requiring a log of return to stock items
- L. Storage of pharmacy records offsite
- M. 20 CSR 2220-2.016 Pharmacy Operating Procedures during Declared Disasters
- N. 20 CSR 2220-2.140 Prescription Services by Pharmacists/Pharmacies for Residents in Long Term Care Facilities
- O. Delivery of drugs to the patient or patient's agent
- P. Fingerprinting interns
- Q. Delinquent CE rule amendment
- R. New rules for pharmacist administration of vaccinations and medication therapeutic services
- S. Well-being program

### **Legislation and Regulation:**

- T. Definition of "professional judgment"
- U. Pharmacist moving away from product assembly and into patient centric services
- V. Proposed changes to electronic records (imaging) and record keeping requirements
- W. Drug distributor laws and regulations
- X. Laws and drug distributor regulations regarding counterfeit drugs

### **Procedure:**

- Y. Electronic distribution of Board of Pharmacy newsletters
- Z. Discipline of pharmacists versus technicians
- AA. Performance of legal counsel in management of case load
- BB. Board member succession planning
- CC. Legislative plan
- DD. Board meeting dates 2008
- EE. Medication error reporting to national database
- FF. Logo shirts for Board members and staff
- GG. NABP Wholesale Distributor VAWD Program Discussion



## **\$\$ FINANCIAL INFORMATION \$\$**

The Missouri Board of Pharmacy's appropriation for fiscal year ending June 30, 2007 was as follows:

Personal Service	\$ 886,105
Expense and Equipment	\$ 528,938
Criminal History Fund	\$ 150,000 E
Transfers*	\$ 559,936

\*Transfers include:

- Rent
- Professional Registration
- DED/MIS
- Licensee Refunds
- Attorney General
- Administrative Hearing Commission
- Office of Administration Allocated Expenses

## **BOARD MEETING INFORMATION**

During the fiscal year ending June 30, 2007, the Board met in regular session a total of 20 days, held two conference call meetings.



## **INSPECTION INFORMATION**

During the fiscal year ending June 30, 2007, the board inspectors conducted a total of 926 regular inspections of pharmacies and drug distributors throughout the state. This total does not include additional trips to a pharmacy or drug distributor for follow-up inspections or investigations.



## GOLD CERTIFICATES ISSUED

**The following individuals received Gold Certificates during 2007, which are signed by the Governor of the State of Missouri, as well as by the Board Members and the Executive Director. The certificate represents fifty (50) years of active service as a Missouri pharmacist.**

Behm, Frederick V.	Affton	MO
Boss, Jerold W.	St. Louis	MO
Boss, Jerold W.	Webb City	MO
Bruner, Lee R.	Springfield	MO
Burgess, Donald D.	O'Fallon	MO
Dominguez, Conchita	St. Louis	MO
Goldenhersh, Edward L.	Los Angeles	CA
Heller, Stanley J.	Chesterfield	MO
Kaemmerer, Leonard J.	Florissant	MO
Kintz, Victor J.	St. Louis	MO
Nessing, Pierre A.	Florissant	MO
Ollanik, Jordan	Tucson	AZ
Schneider, Richard P.	St. Charles	MO
Schneiderman, Stanley L.	Chesterfield	MO
Shark, J.	Florissant	MO
Sims, George E.	Kansas City	KS
Smith, William M.	San Antonio	TX
Tockstein, Alvin O.	Belleville	IL
Vanbreusegen, Frank E.	St. Louis	MO
Vetter, William R.	St. Louis	MO
Wahlbrink, Raymond E.	Louisville	KY
Walters, Robert E.	St. Peters	MO
Wiegand, Daniel R.	Edwardsville	IL
Winch, Everett W.	Independence	MO

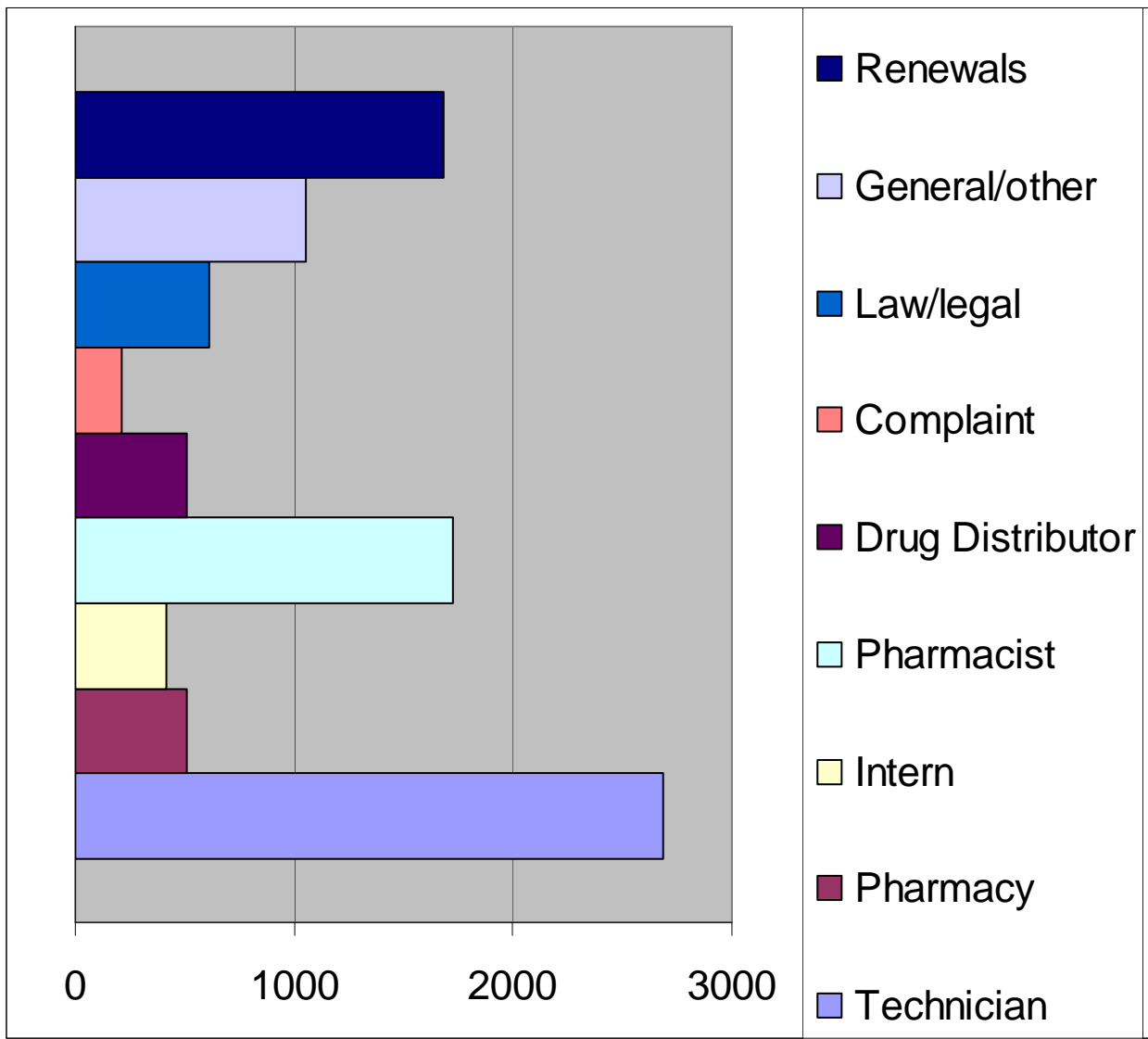




## OTHER BOARD INFORMATION

During the fiscal year 2007 Board of Pharmacy office staff received and responded to 9,417 incoming telephone calls, covering a variety of subjects. The major topics are indicated in the chart shown below.

### BOARD OFFICE TELEPHONE STATISTICS





## COMPOUNDED DRUG TESTING REPORT

In 2003 the Board initiated a program to test drug preparations compounded by pharmacies. All preparations are tested for potency and, if applicable, sterility and endotoxin. The tables listed below are for the fiscal year ending June 30, 2007.

Dosage Form	Tests Performed
Capsule	37
Injection	7
I.V. solution	12
Oral solution	2
Oral suspension	140
Suppository	5
Tablet	2
Topical cream/ointment	1
Transdermal	6
Troche	1

Test Results	Tests Performed	Percentage
Satisfactory	162	76.1%
Unsatisfactory	51	23.9%
<b>Total</b>	<b>213</b>	<b>100%</b>

All unsatisfactory results were related to potency failures. An acceptable potency range is considered +/- 10% of the expected potency, unless a U.S.P. monograph states a different range for a specific preparation. Failing potency results ranged from 21.2% to 450.4%. Pharmacies are notified of unsatisfactory results and asked to complete a quality assurance review of their compounding practices and provide a corrective action plan.

Drugs with Unsatisfactory Results	
Azathioprine oral suspension	Ketoprofen transdermal
Baclofen suppositories	Lansoprazole oral suspension
Biest/Progesterone capsules	Metronidazole oral suspension
Biest/Progesterone/DHEA capsules	Omeprazole oral suspension
Biest/Progesterone/Testosterone capsules	Piroxicam capsules
Boric Acid capsules	Progesterone capsules
Captopril oral suspension	Progesterone suppositories
Carboplatin IV solution	Progesterone troches
Cisplatin IV solution	Progesterone/Melatonin/Hydroxytryptophan capsules
Clonidine injection	Rifampin oral suspension
DHEA capsules	Spirolactone/HCTZ oral suspension
Diethylstilbestrol capsules	Testosterone transdermal
Enalapril oral suspension	Triest/DHEA capsules
Enalapril tablets	Triest/Progesterone capsules
Histamine Diphosphate injection	Triest/Progesterone/DHEA/Testosterone capsules
Histamine injection	









## COMPLAINTS FILED DISCIPLINE INFORMATION

STATISTICS BELOW REFLECT TOTAL COMPLAINTS  
FOR THE FISCAL YEAR ENDING JUNE 30, 2007

Total Number of Complaints Received by the Board..... 415

Breakdown of Complaint Allegations	
Alcohol and Alcohol-Impaired Behavior	6
Audit Findings	41
Billing for Services Not Rendered	1
Compounding	23
Confidentiality	5
Counseling	2
Department of Revenue Tax Compliance	11
Dispensing Errors	46
Drug Distribution Violations	6
Drugs and Drugs-Impaired Behavior	27
Errors/Improper/False Accounting Procedures	1
Ethical	23
Expired Drugs in Inventory	1
False/Misleading Advertising or Marketing	1
Felony	5
Fraud-Mail and Unspecified	3
Fraudulent Prescriptions	9
Improper Dispensing	20
Incompetence	3
Insurance Fraud-Non-government or Private Insurance	1
Licensure Applicant	29
Loss of Drugs	11
No Jurisdiction	4
Pharmacy Permit Violations (includes security issues)	43
Practicing Beyond the Scope of Practice	2
Practicing without a License	37
Previous Disciplinary Action	1
Recordkeeping	5
Substitution	1
Theft of Drugs	27
Theft of Drugs – Self-Administration	2
Theft of Money	4
Unauthorized Dispensing	2
Unprofessional Conduct	3
Veterinary	2
Violation of Disciplinary Order	7



## SOURCE OF COMPLAINTS

<b>Complaints Received From Public</b>	<b>141</b>
<b>Complaints Received from Other Agencies</b>	<b>15</b>
<b>Complaints Received from Board or Inspectors</b>	<b>227</b>
<b>Complaints Received from Other State Boards</b>	<b>5</b>
<b>Complaints Regarding Licensing Issues</b>	<b>27</b>

## DISPOSITION

<b>Cases Referred to Legal Counsel</b>	<b>51</b>
<b>Cease and Desist Letters Sent</b>	<b>3</b>
<b>Disposition Complete – Other</b>	<b>25</b>
<b>Individuals Requested to Meet with the Board</b>	<b>40</b>
<b>Investigations Requested/Not Complete</b>	<b>108</b>
<b>Letters of Concern Sent</b>	<b>96</b>
<b>Letters of Warning – Serious Violations Sent</b>	<b>60</b>
<b>License Approved</b>	<b>1</b>
<b>License Denied Letters</b>	<b>6</b>
<b>Miscellaneous Non-Administrative Board Letters Sent</b>	<b>5</b>
<b>No Action/Insufficient Evidence</b>	<b>76</b>
<b>Referred to Other Board/Agency</b>	<b>10</b>
<b>Technician Disqualification Letters Sent</b>	<b>59</b>
<b>Technician Conditional Employment Letters Sent</b>	<b>31</b>

### NOTE

Disposition numbers will not equal the number of complaints received and processed since some cases resulted in dual action; i.e., the pharmacist met with the Board and then received an administrative letter, or was referred to legal counsel for filing, etc.



## DISCIPLINE

ACTIONS	
Complaints Filed with Administrative Hearing Commission	17
Disciplinary Hearings Held	1
Felony Hearings Held	3
Violation of Discipline Hearings Held	5
Settlement Agreements Entered	20
Restricted Licenses Issued Pursuant to Section 620.149	9

DISCIPLINE RESULTS	
Technician Registrations Suspended 324.010	4
Pharmacist Licenses Censured	1
Pharmacist Licenses Revoked	3
Pharmacy Permits Revoked	1
Pharmacist Licenses Suspended Followed by Probation	5
Pharmacist Licenses on Probation	9
Pharmacy Permits on Probation	3
Drug Distributor Registrants on Probation	1
Drug Distributor Licenses on Probation	1
Restricted Intern Licenses Issued Pursuant to Section 620.149	1
Restricted Pharmacist Licenses Issued Pursuant to Section 620.149	3
Restricted Pharmacy Permits Issued Pursuant to Section 620.149	1
Restricted Drug Distributor Licenses Issued Pursuant to Section 620.149	4
Pharmacist Licenses Voluntary Surrender	3
Pharmacy Permits Voluntary Surrender	1

### NOTE

Since the time frame of cases from point of first review to the final disposition may be lengthy, the totals shown above will not necessarily balance. A case may be reviewed by Board, referred to legal counsel, filed with the Administrative Hearing Commission and be decided by disciplinary hearing, consent order or otherwise, all in separate fiscal years.



## **CENSUS OF LICENSED PHARMACISTS AS OF JUNE 30, 2007**

### **TOTAL PHARMACISTS INSTATE AND OUT OF STATE**

<b>Total Licensed Pharmacists</b>	<b>7,782</b>
<b>Active license</b>	<b>7,549</b>
<b>Male</b>	<b>4,036</b>
<b>Female</b>	<b>3,513</b>
<b>Inactive license</b>	<b>233</b>
<b>Male</b>	<b>130</b>
<b>Female</b>	<b>103</b>

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### **TOTAL NUMBER OF PHARMACISTS RESIDING IN MISSOURI**

<b>Active License – Practicing Pharmacy</b>	<b>4,875</b>
<b>Male</b>	<b>2,659</b>
<b>Female</b>	<b>2,216</b>
<b>Inactive License – Not Practicing Pharmacy</b>	<b>63</b>
<b>Male</b>	<b>41</b>
<b>Female</b>	<b>22</b>

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### **AGE GROUP BREAKDOWN OF INSTATE AND OUT-OF-STATE PHARMACISTS** **(AS OF JUNE 30, 2007)**

<b>Under the age of 30</b>	<b>744</b>
<b>Ages 30-39</b>	<b>2,012</b>
<b>Ages 40-49</b>	<b>1,864</b>
<b>Ages 50-59</b>	<b>1,947</b>
<b>Ages 60-69</b>	<b>845</b>
<b>Ages 70-79</b>	<b>315</b>
<b>Ages 80-89</b>	<b>54</b>
<b>Ages 90+</b>	<b>1</b>





## CENSUS OF LICENSED PHARMACIES AS OF JUNE 30, 2007

Total Licensed Pharmacies as of June 30, 2007 .....	1,824
Instate Pharmacies.....	1,380
Non-Resident Pharmacies.....	444
Temporary Pharmacies .....	6



### BREAKDOWN OF INSTATE PHARMACIES BY CLASSIFICATION

Class A - Retail Pharmacies .....	482
Class B - Hospital Pharmacies.....	101
Class C - LTC Pharmacies.....	11
Class D - Non-Sterile Compounding .....	0
Class E - Radiopharmaceutical .....	11
Class F - Renal Dialysis Pharmacies .....	1
Class G - Medical Gas Pharmacies .....	0
Class H - Sterile Products .....	2
Class I - Consultant Pharmacy.....	2
Class J - Shared Services Pharmacy .....	2
Pharmacies with Multiple Classifications.....	768



# CENSUS OF DRUG DISTRIBUTORS/MANUFACTURERS LICENSED AS OF JUNE 30, 2007

Drug Distributors Licensed with a Permanent License .....	1,235
Drug Distributors Licensed with a Temporary License.....	14
Out-of-State Manufacturers Registered .....	101



## NOTE

Any out-of-state drug company or manufacturer that ships/transfers legend drugs or devices into this state is required to obtain an out-of-state drug distributor license with this office.

Upon receipt of a license application, the company is issued a temporary license. This temporary license is valid for a period of one (1) year or until the application has been completely processed by this office, at which time, a permanent license is issued or the application is denied by the Board.

All in-state drug companies that ship/transfer legend pharmaceuticals are also required to obtain licensure with this office.

Any pharmacy that distributes legend drugs to any entity other than the consumer (the patient), such as other pharmacies, physicians, etc., must obtain a drug distributor's license if that type of distribution exceeds 5% of the pharmacy's total gross sales of legend products.

# CENSUS OF OTHER LICENSEES AS OF JUNE 30, 2007

Licensed Interns .....	1,371
Registered Pharmacy Technicians .....	14,735



<p style="text-align: center;"><b>MISSOURI BOARD OF PHARMACY</b>  <b>INSPECTORS AND COUNTIES ASSIGNED</b></p>
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#1 VanFleet	#2 Heavin	#3 Glenski	#4 Kidd	#5 Wood	#6 Alexander	#7 Werges
Barton	Barry	Andrew	Butler	Bollinger	Adair	Audrain
Bates	Christian	Atchison	Carter	Cape Girardeau	Clark	Benton
Cass	Dade	Buchanan	Iron	Dunklin	Knox	Boone
Cedar	Dallas	Caldwell	Jefferson	Franklin	Lewis	Callaway
Henry	Douglas	Carroll	Madison	Mississippi	Lincoln	Camden
Jackson	Greene	Clay	Reynolds	New Madrid	Marion	Chariton
Johnson	Howell	Clinton	Ripley	Pemiscot	Monroe	Cole
St. Clair	Jasper	Davies	Shannon	Perry	Montgomery	Cooper
Vernon	Lawrence	Dekalb	St. Francois	Scott	Pike	Crawford
	McDonald	Gentry	STL City	St. Charles	Ralls	Dent
	Newton	Grundy	STL County	Ste. Genevieve	Schuyler	Gasconade
	Oregon	Harrison	Washington	STL City	Scotland	Hickory
	Ozark	Holt	Wayne	STL County	Shelby	Howard
	Polk	Lafayette		Stoddard	STL City	Laclede
	Stone	Linn			STL County	Macon
	Taney	Livingston			Warren	Maries
	Texas	Mercer				Miller
	Webster	Nodaway				Moniteau
	Wright	Platte				Morgan
		Putnam				Osage
		Ray				Pettis
		Sullivan				Phelps
		Worth	Pharmacies in St. Louis City & County South of Hwy. 40	Drug Distributors in St. Louis City & County South of Hwy. 40	Pharmacies & Drug Distributors in St. Louis City & County North of Hwy. 40	Pulaski
						Randolph
						Saline